

REMARKS

I. Status of Claims

Claims 1-27 are pending in this application. Applicants acknowledge and appreciate that claims 25 and 26 have been allowed, and that claims 5-7, 15-20, 22, and 24 were indicated to contain allowable subject matter. (*Office Action* at p. 4.) No claims have been amended in this Reply.

II. Double Patenting

Claims 1 and 27 continue to be rejected under the judicially created doctrine of obviousness-type double patenting over claim 1 of U.S. Patent No. 6,585,962 ("the '962 patent"). (*Office Action* at p. 2.)

Although Applicants respectfully disagree that claims 1 and 27 are unpatentable in view of claim 1 of the '962 patent, Applicants have filed together with this response a Terminal Disclaimer over, *inter alia*, the '962 patent to render the rejection moot. This rejection should therefore be withdrawn.

Claims 1-4, 8-14, 21, 23, and 27 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 2-13, 18-21, and 23 of copending Application No. 10/086,248 ("the '248 application"). (*Id.* at pp. 3-4.)

Although Applicants respectfully disagree that claims 1-4, 8-14, 21, 23, and 27 are unpatentable in view of claims 2-13, 18-21, and 23 of the '248 application, Applicants have filed together with this response a Terminal Disclaimer over, *inter alia*,

the '248 application to render the rejection moot. This rejection should therefore be withdrawn.

III. Conclusion


In view of the above remarks and the accompanying Terminal Disclaimer, Applicants request reconsideration of the application, and the timely allowance of the pending claims. If the Examiner believes a telephone conference would be useful in resolving any outstanding issues, the Examiner is invited to call the undersigned at (202) 408-4162.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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